

UNITED STATES DISTRICT COURT

for the

Western District of North Carolina

United States of America

v.

BOBBY COLLINS, Jr.

Case No: 3:97CR00166-013

USM No: 13153-058

Date of Previous Judgment: February 23, 1999 D. Baker McIntyre, III

(Use Date of Last Amended Judgment if Applicable) Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

the Director of the

Upon motion of ☒ the defendant ☐ Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C.

§ 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 168 months is reduced to 137 months.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: 39 Amended Offense Level: 37

Criminal History Category: IV Criminal History Category: IV

Previous Guideline Range: 360 months to life Amended Guideline Range: 292 to 365 months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

☐ The reduced sentence is within the amended guideline range.

☒ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.

☐ Other (explain):

III. ADDITIONAL COMMENTS

Except as provided above, all provisions of the February 23, 1999 shall remain in effect.

IT IS SO ORDERED.

Order Date: October 2, 2008

Effective Date: _____
(if different from order date)



Graham C. Mullen
United States District Judge

